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Attorneys for Defendants

UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA

MYRNA I. JOHNSON,

Plaintiff,

v.

FRED MEYER STORES, INC., a Delaware
corporation; and JAIME SAN MIGUEL,

Defendants.

Case No. 1J-04-008-CV (RRB)

**DEFENDANTS' OBJECTIONS TO
PLAINTIFF'S DEPOSITION DESIGNATIONS**

DISCUSSION

Defendants have proposed to offer into evidence the videotaped deposition testimony of Mary Lucas Hill, both the May 26, 2006, deposition and the subsequent deposition on October 25, 2006.

On behalf of defendants, we contend that much of this information is irrelevant (Fed. R. Civ. P. 402) and would only be confusing and a waste of time (Fed. R. Civ. P. 403). The testimony also may be inadmissible under Fed. R. Civ. P. 404 as character evidence.

Defendants contend that any testimony by Ms. Hill unrelated to the ending of plaintiff's employment with Fred Meyer and her involvement therein is irrelevant and could only be confusing to the jury. In particular, the testimony of Ms. Hill about the subsequent employment of Johnna Havard; counseling of Jaime San Miguel with regard to complaints by Johnna Havard; or the resolution of that situation occurring in January 2003, is not relevant and would be confusing to the jury to be admitted. Accordingly, to the extent that the deposition of Mary Lucas Hill is admitted, it should not extend beyond Mary Hill's deposition testimony as previously designated by defendants (considered counter-designations for this response) and submitted as such to the Court and plaintiff.

RESPECTFULLY SUBMITTED this 24th day of September, 2007.

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s/ James R. Dickens

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Certificate of Service

I hereby certify that on September 24, 2007,
a copy of the foregoing was served
electronically on:

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